

01-23-02

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01/18/02
J1057 U.S. PTO

Please type a plus sign (+) inside this box [+]

PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 5557.P007
(maximum 12 characters)

First Named Inventor James W. Moore

Title: METHOD AND APPARATUS FOR RAPID IMAGE CAPTURE IN AN IMAGE SYSTEM

Express Mail Label No. EL862050919US

J1057 U.S. PTO
10/052678

01/18/02

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, D. C. 20231

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. X **Fee Transmittal Form (e.g., PTO/SB/17)**
(Submit an original, and a duplicate for fee processing)
2. **Applicant Claims Small Entity Status. (37 CFR 1.27)**
3. X **Specification (Total Pages 25)**
(preferred arrangement set forth below)
 - Descriptive Title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference sequence listing, a table,
 or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. X **Drawings(s) (35 USC 113) (Total Sheets 6)**
5. **Oath or Declaration (Total Pages)**
 - a. Newly Executed (Original or Copy)
 - b. Copy from a Prior Application (37 CFR 1.63(d))
(for Continuation/Divisional with Box 18 completed)
 - i. DELETIONS OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
 - c. Unsigned.
6. **Application Data Sheet. (37 CFR 1.76)**
7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

10052678-011602

| | | |
|-----|-------------------|--|
| 9. | <u> </u> | Assignment Papers (cover sheet & documents(s)) |
| 10. | <u> </u> | a. Separate 37 CFR 3.73(b) Statement (where there is an assignee) |
| | <u> </u> | b. Power of Attorney |
| 11. | <u> </u> | English Translation Document (if applicable) |
| 12. | <u> </u> | a. Information Disclosure Statement (IDS)/PTO-1449 |
| | <u> </u> | b. Copies of IDS Citations |
| 13. | <u> </u> | Preliminary Amendment |
| 14. | <u> X </u> | Return Receipt Postcard (MPEP 503) (Should be specifically itemized) |
| 15. | <u> </u> | Certified Copy of Priority Document(s) (if foreign priority is claimed) |
| 16. | <u> X </u> | Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). <u>Applicant must attach form PTO/SB/35 or its equivalent.</u> |
| 17. | <u> X </u> | Other: <u>Certificate of mailing with copy of return postcard signed by attorney</u> |

Continuation Of Prior Application No.: _____ Divisional Examiner _____ Continuation-in-part (CIP) Group Art Unit _____
 (which is a _____ continuation/ _____ divisional/ _____ CIP of prior application no. _____,
 which is a _____ continuation/ _____ divisional/ _____ CIP of prior application no. _____) (List entire chain of priority)

18B. Statement under 37 CFR 3.73(b) for continuing application:

The undersigned states that _____ (name of assignee) is the assignee of the entire right, title, and interest in the accompanying patent application by virtue of an assignment recorded in the Patent and Trademark Office at Reel. No. _____ Frame No. _____ (or a copy of which is attached).

_____ Customer Number or Bar Code Label
or
_____ (Insert Customer No. or Attach Bar Code Label here)

| | |
|----------|------------------------------|
| X | Correspondence Address Below |
|----------|------------------------------|

NAME Lance A. Termes

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

ADDRESS 12400 Wilshire Boulevard

Seventh Floor

| | | | | | |
|------|-------------|-------|------------|----------|------------|
| CITY | Los Angeles | STATE | California | ZIP CODE | 90025-1026 |
|------|-------------|-------|------------|----------|------------|

| | | | | | |
|---------|--------|-----------|----------------|-----|----------------|
| Country | U.S.A. | TELEPHONE | (206) 292-8600 | FAX | (206) 292-8606 |
|---------|--------|-----------|----------------|-----|----------------|

Name (PRINT/TYPE) Lance A. Termes Registration No.: 43,184

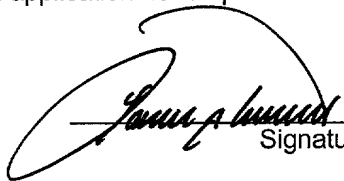
Signature: [Signature] Date: 01-18-02

REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)First Named Inventor James W. MooreTitle METHOD AND APPARATUS FOR RAPID IMAGE CAPTURE IN AN IMAGE SYSTEMAttorney Docket No. 5557.P007

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

01-18-02

Date



Signature

Lance A. Termes

Typed or Printed Name

43,184

Registration No.

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months after the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Send to: Assistant Commissioner for Patents, Washington, D.C. 20231

2009-10-28 14:50:01

FEE TRANSMITTAL FOR FY 2002**TOTAL AMOUNT OF PAYMENT (\$)** \$884.00**Complete if Known:**

Application No. Not yet assigned
 Filing Date Herewith
 First Named Inventor James W. Moore
 Group Art Unit Not yet assigned
 Examiner Name Not yet assigned
 Attorney Docket No. 5557.P007

METHOD OF PAYMENT (check one)

1. ☒ [X] The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666
 Deposit Account Name _____

- ☒ [X] Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☐ [] Applicant claims small entity status. See 37 CFR 1.27

2. X Payment Enclosed: X Check
 _____ Money Order
 _____ Other

FEE CALCULATION**1. BASIC FILING FEE**

| <u>Large Entity</u> | | <u>Small Entity</u> | | <u>Fee Description</u> | <u>Fee Paid</u> |
|---------------------|----------|---------------------|----------|------------------------------------|------------------|
| Code | Fee (\$) | Code | Fee (\$) | | |
| 101 | 740 | 201 | 370 | Utility application filing fee | <u>740.00</u> |
| 106 | 330 | 206 | 165 | Design application filing fee | _____ |
| 107 | 510 | 207 | 255 | Plant filing fee | _____ |
| 108 | 740 | 208 | 370 | Reissue filing fee | _____ |
| 114 | 160 | 214 | 80 | Provisional application filing fee | _____ |
| SUBTOTAL (1) | | | | | \$ 740.00 |

2. EXTRA CLAIM FEES

| | | <u>Extra Claims</u> | <u>Fee from below</u> | <u>Fee Paid</u> |
|--------------------|-----------|---------------------|-----------------------|-----------------|
| Total Claims | <u>28</u> | - 20** = <u>8</u> | X <u>18.00</u> | = <u>144.00</u> |
| Independent Claims | <u>3</u> | - 3** = <u>0</u> | X <u>84.00</u> | = <u>0.00</u> |
| Multiple Dependent | | | | = _____ |

**Or number previously paid, if greater; For Reissues, see below.

| <u>Large Entity</u> | | <u>Small Entity</u> | | <u>Fee Description</u> |
|---------------------|----------|---------------------|----------|---|
| Code | Fee (\$) | Code | Fee (\$) | |
| 103 | 18 | 203 | 9 | Claims in excess of 20 |
| 102 | 84 | 202 | 42 | Independent claims in excess of 3 |
| 104 | 280 | 204 | 140 | Multiple dependent claim, if not paid |
| 109 | 84 | 209 | 42 | **Reissue independent claims over original patent |
| 110 | 18 | 210 | 9 | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) \$ 144.00

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

| <u>Large Entity</u> | | <u>Small Entity</u> | | <u>Fee Description</u> | <u>Fee Paid</u> |
|---------------------|-----------------|---------------------|-----------------|--|-----------------|
| <u>Fee Code</u> | <u>Fee (\$)</u> | <u>Fee Code</u> | <u>Fee (\$)</u> | | |
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | _____ |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | _____ |
| 139 | 130 | 139 | 130 | Non-English specification | _____ |
| 147 | 2,520 | 147 | 2,520 | For filing a request for ex parte reexamination | _____ |
| 099 | 8,800 | 099 | 8,800 | Request for inter parties reexamination | _____ |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | _____ |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | _____ |
| 115 | 110 | 215 | 55 | Extension for reply within first month | _____ |
| 116 | 400 | 216 | 200 | Extension for reply within second month | _____ |
| 117 | 920 | 217 | 460 | Extension for reply within third month | _____ |
| 118 | 1,440 | 218 | 720 | Extension for reply within fourth month | _____ |
| 128 | 1,960 | 228 | 980 | Extension for reply within fifth month | _____ |
| 119 | 320 | 219 | 160 | Notice of Appeal | _____ |
| 120 | 320 | 220 | 160 | Filing a brief in support of an appeal | _____ |
| 121 | 280 | 221 | 140 | Request for oral hearing | _____ |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | _____ |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable | _____ |
| 141 | 1,280 | 241 | 640 | Petition to revive - unintentional | _____ |
| 142 | 1,280 | 242 | 640 | Utility issue fee (or reissue) | _____ |
| 143 | 460 | 243 | 230 | Design issue fee | _____ |
| 144 | 620 | 244 | 310 | Plant issue fee | _____ |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | _____ |
| 123 | 50 | 123 | 50 | Processing fee under 37 CFR 1.17(q) | _____ |
| 126 | 180 | 126 | 180 | Submission of Information Disclosure Stmt | _____ |
| 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) | _____ |
| 146 | 740 | 246 | 370 | For filing a submission after final rejection (see 37 CFR 1.129(a)) | _____ |
| 148 | 110 | 248 | 55 | Statutory Disclaimer | _____ |
| 149 | 740 | 249 | 370 | For each additional invention to be examined (see 37 CFR 1.129(b)) | _____ |
| 179 | 740 | 279 | 370 | Request for Continued Examination (RCE) | _____ |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application | _____ |
| 195 | 300 | 195 | 300 | Publication fee for early, voluntary, or normal pub. | _____ |
| 196 | 300 | 196 | 300 | Publication fee for republication | _____ |
| 194 | 130 | 194 | 130 | Request for voluntary publication or republication | _____ |
| 098 | 130 | 098 | 130 | Processing fee under 37 CFR 1.17(i) (except provisionals) | _____ |
| 091 | 1,280 | 091 | 1,280 | Acceptance of unintentionally delayed claim for priority | _____ |

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3) \$ 0.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:Typed or Printed Name: Lance A. TermesSignature:  Date: 01-18-02Reg. Number: 43,184 Telephone Number: 206-292-8600

Our Reference: 005557.P007

Patent

METHOD AND APPARATUS FOR RAPID IMAGE CAPTURE IN AN IMAGE
SYSTEM

Inventors: James W. Moore; Danny S. Barnes; and Matthew E. Allen

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP



Lance A. Termes
Reg. No. 43,184

"Express Mail" mailing label number: EL862050919US
Date of Deposit: January 18, 2002

I hereby certify that I am causing this paper or fee to be deposited
with the United States Postal Service "Express Mail Post Office to
Addressee" service on the date indicated above and that this paper or
fee has been addressed to the Assistant Commissioner for Patents,
Washington, D. C. 20231

Sharon Farnus

(Typed or printed name of person mailing paper or fee)
Sharon Farnus 1/18/02
(Signature of person mailing paper or fee) (Date signed)

Serial/Patent No.: New Application Filing/Issue Date: Herewith
Client: Microscan Systems Inc.
Title: METHOD AND APPARATUS FOR RAPID IMAGE CAPTURE IN AN IMAGE SYSTEM

BSTZ File No.: 5557.P007 Atty/Secty Initials: LAT:sef
Date Mailed: 1-18-02 Docket Due Date: ***

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- | | |
|--|---|
| <input type="checkbox"/> Amendment/Response (___pgs.) | <input checked="" type="checkbox"/> Express Mail <u>EL862050919US</u> Check No. <u>1958</u> |
| <input type="checkbox"/> Appeal Brief (___pgs.) (in triplicate) | <input type="checkbox"/> ___ Month(s) Extension of Time Amt: <u>\$884.00</u> |
| <input checked="" type="checkbox"/> Application - Utility (<u>25</u> pgs., with cover and abstract) | <input type="checkbox"/> Information Disclosure Statement & PTO-1449 (___pgs.) <input type="checkbox"/> Check No. ___ |
| <input type="checkbox"/> Application - Rule 1.53(b) Continuation (___pgs.) | <input type="checkbox"/> Issue Fee Transmittal Amt: ___ |
| <input type="checkbox"/> Application - Rule 1.53(b) Divisional (___pgs.) | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Application - Rule 1.53(b) CIP (___pgs.) | <input type="checkbox"/> Petition for Extension of Time |
| <input type="checkbox"/> Application - Rule 1.53(d) CPA Transmittal (___pgs.) | <input type="checkbox"/> Petition for ___ |
| <input type="checkbox"/> Application - Design (___pgs.) | <input checked="" type="checkbox"/> Postcard |
| <input type="checkbox"/> Application - PCT (___pgs.) | <input type="checkbox"/> Power of Attorney (___pgs.) |
| <input type="checkbox"/> Application - Provisional (___pgs.) | <input type="checkbox"/> Preliminary Amendment (___pgs.) |
| <input type="checkbox"/> Assignment and Cover Sheet | <input type="checkbox"/> Reply Brief (___pgs.) |
| <input checked="" type="checkbox"/> Certificate of Mailing | <input type="checkbox"/> Response to Notice of Missing Parts |
| <input type="checkbox"/> Declaration & POA (___pgs.) | <input type="checkbox"/> Small Entity Declaration for Indep. Inventor/Small Business |
| <input type="checkbox"/> Disclosure Docs & Orig & Copy of Inventor's Signed Letter (___pgs.) | <input checked="" type="checkbox"/> Transmittal Letter, in duplicate |
| <input checked="" type="checkbox"/> Drawings: <u>6</u> # of sheets includes <u>15</u> figures | <input checked="" type="checkbox"/> Fee Transmittal, in duplicate |
| <input checked="" type="checkbox"/> Other <u>*Certificate of mailing with copy of return postcard signed by attorney</u> | |
| <u>*Request for non-publication in dupl.</u> | |